

**REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

**A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Editorially amend claims 8, 9, 43, and 44 to moot the rejections under 35 USC §112, second paragraph.
2. Amend the dependencies of claims 1 – 3, 7, 60, 77 – 79
3. Cancel claims 6, 10, 41 , and 45 without prejudice or disclaimer.
4. Add new independent apparatus claim 73 and claims 74 – 76 dependent thereon.
5. In corresponding fashion to (3), add new independent claim 77 and claims 78 – 80 dependent thereon.
6. Respectfully traverse all prior art rejections.

**B. PATENTABILITY OF THE CLAIMS**

Claims 1-12, 14-16, 18-20, 22-27, 36-47, 49-51, 53-55, 57-62, 71 and 72 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent 6,891,833 to Caves et al. Claims 13, 17, 48 and 52 under 35 USC §103(a) as being unpatentable over U.S. Patent 6,430,189 to 6,891,833 to Caves. All prior art rejections are respectfully traversed for at least the following reasons.

New independent claims 73 (apparatus) and 77 (method) specify that the connection handling functionality (distributed over the cluster of the plural processors) is configured to facilitate execution of at least some non-signaling software objects executed for setup or release of a first connection on a different processor of the cluster than at least some non-signaling software objects executed for setup or release of a second connection.

Applicants' software objects are described and illustrated, e.g., in conjunction with Fig. 6. One of the software objects (e.g., signaling object 112) concerns signaling, but the remainder of the software objects depicted in Fig. 6 are non-signaling software objects. Applicants' signaling object 112 is described, e.g., on page 25, lines 21+. In a node, Applicants' signaling objects 112 for differing connections are executed on a same processor, e.g. processor 130 in Fig. 7, for example<sup>1</sup>. However, Fig. 7a shows that at least some of Applicants' non-signaling software objects for a first connection are executed on a first processor 30<sub>1</sub>-1, while Fig. 7B shows at least some of Applicants' non-signaling software objects for a second connection are executed on a second processor 30<sub>2</sub>-1. In other words, at least some of Applicants' non-signaling software objects for a first connection are executed on a different processor of the cluster than at least some of non-signaling software objects for a second connection.

By contrast, in U.S. Patent 6,891,833 to Caves et al. each AAL2 signaling server 37 handles those AAL2 signaling channels associated with AAL2 VVCs terminated by a given AAL2 module 25 (see Fig. 7 and col. 9, lines 1 – 20). Thus, in terms of signaling, in Caves each AAL2 module 25 is associated with a different AAL2 signaling server 37, which is directly opposite Applicants' use of a single processor for handling signaling objects.

If Caves even has non-signaling software objects, Caves does not describe the same, or by whom they are executed (whether on a same processor or distributed). Nor does U.S. Patent 6,891,833 to Caves et al. even address setup or release of connections in terms of node resources (other than signaling servers), much less use of non-signaling objects for setup or release. Therefore, U.S. Patent 6,891,833 to Caves et al. does not serve as a credible basis for rejecting independent claims 73 and 77, which are now deemed allowable.

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<sup>1</sup> New dependent claims 74 and 78, supported by the reference numerals and specification text just mentioned, specifically requires that signaling software objects for the first connection and the second connection be handled by a same processor

New dependent claims 75 and 79 further specify that at least some of the non-signaling objects for the first connection are handled on a different processor than other non-signaling objects for the first connection. New dependent claim 75 is supported, e.g. by Fig. 11A and the specification description thereof, as well as page 15, lines 28 – 29.

New dependent claims 76 and 80, which include a list of software objects included in the non-signaling software objects, is supported, e.g., Fig. 6 and by page 16, lines 5 – page 17, line 15, as well as other dependent claims already pending.

Each of the new dependent claims, as well as other previously existing dependent claims, are deemed to have independent patentable merit. However, in view of the allowability of independent claims 73 and 77, arguments for allowability of the dependent claims are not necessary (but right for further presentation is reserved, e.g., in conjunction with appeal, if necessary).

### **C. MISCELLANEOUS**

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

CARLBERG et al  
Serial No. 09/935,759

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Respectfully submitted,

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